

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE, NORTH CAROLINA

The telephone number for the United States Bankruptcy Court is (704) 350-7500

In response to COVID-19, hearings scheduled before Judge J. Craig Whitley for April 5 - 9, 2021 will be held telephonically or virtually. Below is the weekly calendar of hearings. Please see the daily calendars for the dial-in information for telephonic hearings, and the point of contact for the needed link, codes and dial-in information for virtual hearings.

04/05/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

MONDAY, APRIL 5, 2021

9:30 a.m. (Telephonic Hearings)

1)	7	Gary L. Mitchell	17-31661	Hearing on Motion to Withdraw as Counsel (94)
				Compliance hearing regarding Motion to Turnover (101)
		PENNEBAKER C. HAYES, TR.		

2)	7	Donnie L. Walker Skylar B. Walker	21-30038	Continued hearing on Motion of Truist Bank for Relief From Automatic Stay (Real Property) or, in the Alternative, Adequate Protection (9); Trustee's Objection (11)
		DUNCAN C. HAYES, TR.		

3)	7	Jamie N. Fox	20-30999	Hearing on Debtor's Motion to Amend Schedules A/B and C (15)
		PLANER SHUFORD, TR.		

4)	7	Shannel McKenzie	21-30135	Court Order for Debtor to Appear and Show Cause [Excuse Credit Counseling] (9)
		PRO SE SHUFORD, TR.		

5)	7	Willie E. Foster, Jr.	13-31088	Hearing on Trustee's Motion to Except Asset From Abandonment Upon Closing of Case and for Authority to Reopen Case With Deferred Filing Fee (194)
		PRO SE TAYLOR, TR.		

6)	7	Antonio A. Walker Shamelia L. Blackmon	13-32499	Hearing on Trustee's Motion to Except Asset From Abandonment Upon Closing of Case and for Authority to Reopen Case With Deferred Filing Fee (105)
		PRO SE PRO SE TAYLOR, TR.		

04/06/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

TUESDAY, APRIL 6, 2021

9:30 a.m. (Telephonic Hearings)

1) 11 Osprea Logistics USA 21-30087 Status Conference (8); Pre-Status
LLC Conference Report (46)

WRIGHT
BOWERS, TR.

2) 11 CMC Holding Corp. 06-31496 Hearing on Motion of the
Administrator to Extend Liquidating
Trust (270)

Hearing on Motion of the
Administrator to Close Chapter 11
Case (271)

WRIGHT

3) 11 Redf Marketing, LLC 12-32462 Continued hearing on Motion of The
Finley Group for Status Hearing or, in
the Alternative, to Enforce Settlement
Agreement and Settlement Order (672)

HOUSTON

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| 4) | Adv. Matthew W. Smith,
<i>Ch. 11 Trustee for
BK Racing, LLC</i>
v.
Nancy J. O'Haro | 20-3007
Ch. 11
18-30241 | Continued hearing on Plaintiff's
Motion for Order Directing Mediation
(15) |
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HOUSTON
WOODMAN

- | | | | |
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| 5) | Adv. Matthew W. Smith,
<i>Chapter 11 Trustee for
BK Racing, LLC</i>
v.
Lena Pitrelli | 20-3008
Ch. 11
18-30241 | Continued hearing on Plaintiff's
Motion for Order Directing Mediation
(15) |
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HOUSTON/BROWN
WOODMAN

- | | | | |
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| 6) | Adv Matthew W. Smith
v.
Iowa City Capital
Partners, LC | 20-03009
Ch. 11
18-30241 | 3rd continued hearing on Defendant's
Motion to Compel (25/26); Plaintiff's
Reply Brief (32); Defendant's Reply
Brief Supporting its Motion to Compel
(34) |
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3rd continued hearing on Plaintiff's
Motion to Compel (27); Defendant's
Objection (31)

2nd continued hearing on Plaintiff's
Motion for Protective Order (33)

HOUSTON / BROWN / WRIGHT
WEINER / CARLS

- 7) Adv. Matthew W. Smith 20-3010 2nd continued hearing on Plaintiff's
v. Ch. 11 Motion to Extend Pretrial Deadlines
H.A.F. Real Estate I, LLC 18-30241 and for Scheduling Conference (11)
H.A.F. Real Estate West, LLC

HOUSTON/BROWN
BAYNARD

- 8) Adv. Matthew W. Smith, 20-3014 Continued hearing on Plaintiff's
Chapter 11 Trustee for Ch. 11 Motion for Order Directing Mediation
BK Racing, LLC 18-30241 (15)
v.
Ronald C. Devine, et al.

HOUSTON / BROWN
WOODMAN

- 9) Adv. Matthew W. Smith, 20-3016 Continued hearing on Plaintiff's
Chapter 11 Trustee for Ch. 11 Motion for Order Directing Mediation
BK Racing, LLC 18-30241 (23)
v.
Brian Castel, et al.

HOUSTON
DiMATTEO / WOODMAN

- 10) Adv. Matthew W. Smith, 20-3057 Continued hearing on Plaintiff's
Chapter 11 Trustee for Ch. 11 Motion for Order Directing Mediation
BK Racing, LLC 18-30241 (10)
v.
Michael Diserveria, et al.

HOUSTON / BROWN
DiMATTEO

2:00 p.m. (Virtual Hearing)

- 11) 11 Avivar Hospitality, LLC 20-30789 6th continued and final hearing on Motion of Access Point Financial for Adequate Protection or, in the Alternative, Relief from Stay (49/66); Debtor's Response (61); American Lending Center's Response (62); Reply in Support of Motion of Access Point Financial (106); Amendment to (1) American Lending Center's Motion for Adequate Protection or, in the Alternative, Relief from Stay and (2) Access Point Financial's Motion for Adequate Protection or, in the Alternative, Relief from Stay Including the Application of 11 USC 362(e) (185)
- 5th continued hearing on Motion of American Lending Center for Adequate Protection or, in the Alternative, Relief From Stay (104) Debtor's Objection (121); Limited Objection of Live Oak Banking Company (122); Substitution of Access Point Financial as Party in Interest to American Lending Center's Motion (137); Amended Objection of Live Oak Banking Company to American Lending Center's Motion (140); Debtor's Memorandum in Opposition to American Lending's Motion (141); Amendment to (1) American Lending Center's Motion for Adequate Protection or, in the Alternative, Relief from Stay and (2) Access Point Financial's Motion for Adequate Protection or, in the Alternative, Relief from Stay Including the Application of 11 USC 362(e) (185)

2nd continued Disclosure Statement hearing to consider when to set a hearing on First Amended Disclosure Statement and related deadlines; Disclosure Statement (98/100); First Amended Disclosure Statement (167)

2nd continued hearing on Debtor's Motion to Extend the Exclusive Period(s) for the Court to consider when to set a hearing on the First Amended Disclosure Statement, related deadlines, and any further extension of the exclusive periods (139)

Continued hearing on Objection of Access Point to Claim / Motion to Disallow Asserted Claim of Sterling Holdings, LLC (149)

Continued hearing on Motion of Sterling Holdings, LLC for *Ex Parte* Order to Extend Time to File Response to Claim Objection and to Continue Hearing Thereon (162/168)

Continued hearing on Motion of Access Point Financial for Appointment of Chapter 11 Trustee (188); Response of the Bankruptcy Administrator to Motion for Appointment of Chapter 11 Trustee and Request for Alternative Relief (203); Debtor's Objection to the Motion for Appointment of Chapter 11 Trustee (205)

WRIGHT
ABEL, BA
PETTIT
ESSER
WHELEHAN
TARR/DRISCOLL

04/09/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, APRIL 9, 2021

9:30 a.m. (Virtual Hearing)

11 Kaiser Gypsum Company, 16-31602
Inc., et al.

Continued hearing on Motion of Truck Insurance Exchange to (I) Enforce the Automatic Stay and (II) for Sanctions for Violation of the Automatic Stay and Supplement Thereto (2640/2641); Joinder by Excess CIP Insurers in Motion of Truck Insurance Exchange (2644); Debtors' Statement Regarding Truck Insurance Exchange's Motion (I) to Enforce the Automatic Stay and (II) for Sanctions for Violation of the Automatic Stay (2655); Objection to Truck Insurance Exchange's Motion (I) to Enforce the Automatic Stay and (II) for Sanctions for Violation of the Automatic Stay (2656); Truck Insurance Exchange's Reply in Support of its Motion (I) to Enforce the Automatic Stay and (II) for Sanctions for Violation of the Automatic Stay (2659); Supplemental Declaration of Steven Kazan in Support of Objection to Truck Insurance Exchange's Motion (I) to Enforce the Automatic Stay and (II) for Sanctions for Violation of the Automatic Stay (2662); Order Regarding Truck's Motion (I) to Enforce the Automatic Stay and (II) for Sanctions for Violation of the Automatic Stay (2674)

MILLER
MARTINEZ
EDWARDS
SIMPSON

NO COURT

HONORABLE J. CRAIG WHITLEY

**THERE ARE NO HEARINGS SCHEDULED FOR
APRIL 7 - 8, 2021**

**SCHEDULE CHANGES OCCUR DAILY;
PLEASE REFER TO ANY FILED NOTICES,
OR ADVISE THE COURT IF THERE IS A NEED
FOR A SPECIAL HEARING DATE.**